

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

In Re: KATRINA CANAL BREACHES	§	CIVIL ACTION
CONSOLIDATED LITIGATION	§	NO. 05-4182 "K" (2)
	§	JUDGE DUVAL
	§	MAG. WILKINSON
_____	§	
PERTAINS TO: BARGE	§	
(Parfait, No. 07-3500)	§	
_____	§	

**DEFENDANT UNITED STATES'
MOTION TO DISMISS**

Pursuant to Rule 12(b)(1), Fed. R. Civ. P., the United States moves to dismiss this action for lack of subject-matter jurisdiction. In support of this motion, the Court is respectfully referred to

the United States' Memorandum of Law, attached hereto.

October 11, 2007

Respectfully submitted,

PETER D. KEISLER
Assistant Attorney General

C. FREDERICK BECKNER III
Deputy Assistant Attorney General

PHYLLIS J. PYLES
Director, Torts Branch

JAMES G. TOUHEY, JR.
Assistant Director, Torts Branch

s/ Kara K. Miller
KARA K. MILLER
Trial Attorney
JESSICA G. SULLIVAN
Trial Attorney
Torts Branch, Civil Division
U.S. Department of Justice
P.O. Box 888
Benjamin Franklin Station
Washington, D.C. 20044
(202) 616-4448
(202) 616-5200 (fax)
kara.k.miller@usdoj.gov
Attorneys for Defendant United States

CERTIFICATE OF SERVICE

I, Kara K. Miller, hereby certify that on October 11, 2007, I served a true copy of "United States' Motion to Dismiss" upon all counsel of record by ECF, electronic mail, or first class mail.

/s/ Kara K. Miller
Kara K. Miller